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Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

On: February 12, 2004  
By: Richard D. Fuerle

Signature: \_\_\_\_\_  
Date: February 12, 2004

**RECEIVED**

**FEB 20 2004**

**OFFICE OF PETITIONS**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Peter A. Montana II

Examiner: Unknown

Serial No.: 10/065,113

Group Art Unit: Unknown

Filed: September 18, 2002

For: CAN CARTON CAP

The Commissioner of Patents  
and Trademarks  
Washington, D.C. 20231

**PETITION TO REVIVE UNINTENTIONALLY  
ABANDONED APPLICATION FOR PATENT  
PURSUANT TO 37 C.F.R. 1.137(b)**

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Applicant hereby petition the Commissioner for revival of the above-identified application for patent.

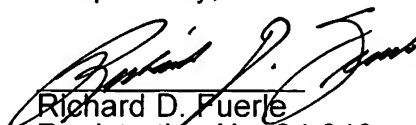
On September 26, 2002, Applicant was mailed a "NOTICE TO FILE CORRECTED APPLICATION PAPERS" (copy enclosed). The due date was November 26 2002. That document was misfiled and was not noticed by Applicant's attorney. As a result, the above patent application went abandoned. A Notice of Abandonment was mailed January 22, 2004. At that time a search was conducted and the September 26, 2002 Notice was located.

Applicant encloses herewith the new enlarged drawings required by the Notice of September 26, 2002.

The entire delay in filing the required reply from the due date for the reply (November 26, 2002) until the filing of this petition pursuant to 37 CFR 1.137(b) was unintentional.

Applicant respectfully requests that this Petition be granted. A check in the amount of \$665.00 for this Petition is enclosed.

Respectfully,

  
Richard D. Fuerle  
Registration No. 24,640  
For Applicant

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February 12, 2004

CASE PM01